

City of Milpitas
Unapproved Minutes
Telecommunications Commission
May 17, 2004

I. Call to Order & Roll Call:

Telecommunications Commission Chair Albert Alcorn called the meeting to order.

Members Present: A. Alcorn, N. Gupta, R. Gopalara, D. Gupta, G. Ali-Santosa, I. Munir, W. Lam, P. Gupta, V. Mathur

I.S. Staff: B. Marion, E. Pasion

Members Absent: P. Peterson, A. Ettinger

City Council: A. Gomez

II. Pledge of Allegiance:

The Commission recited The Pledge of Allegiance.

III. Announcements:

No announcements made for the record.

IV. Approval of the Agenda:

Motion to approve the agenda as submitted.

M/S D. Gupta/ R. Gopalara Ayes: 9

V. Approval of the Minutes
April 19, 2004

Commissioner Alisantosa noted that the OES drill should be corrected as the Rose School mass evacuation drill.

Motion to approve the minutes as amended.

M/S D. Gupta/ R. Gopalara Ayes: 9

VI. Citizen's Forum

No comments made for the record.

VII. Continued-New Business:

1. Cingular Wireless 1525 McCarthy Blvd.

Kim Duncan with the Milpitas planning staff introduced the project to the Commission. Cingular Wireless requested review and approval to install a 60-foot tall telecommunications monopole, disguised as a redwood tree, with its associated equipment.

Chair Alcorn requested clarification on question number 10 regarding nearest distance to the next telecom antenna.

Philip Dale representing Cingular wireless noted that the nearest communications antenna was approximately one-half mile away.

The Commission requested that the questionnaire be updated with the appropriate information relating to the request.

Commissioner Gopalarao asked if the Planning Commission has review the request. Staff noted they would be given the opportunity to review the project for its visual components.

Motion to approve the antenna installation request on condition of completion of questionnaire and final technical staff review.

M/S N. Gupta/R. Gopalarao

Ayes: 9

2. Cingular Wireless Vasona & Abel Street.

Kim Duncan with the Milpitas planning staff introduced the project to the Commission. Cingular Wireless requested review and approval to install six telecommunications panel antennas on top of an existing Pacific, Gas and Electric tower at Vasona and Abel streets along with its associated equipment.

Chair Alcorn referenced the submitted technical questionnaire and noted that item 4 required the total number of channels being proposed on the tower and requested clarification on the total power output from the antennas on the site.

Philip Dale representing Cingular wireless reported the total would be three sectors, three radios radiating at transmitting at full power at 200 watts. There will be a total of 12 radios located on the tower transmitter at a maximum power of 200 watts at any given time with a total power output of 2400 watts.

Chair Alcorn also reference question 5 whether the antenna technology would be Sector or Directional antennas.

Philip Dale representing Cingular wireless reported that the antennas are sector antennas.

Commissioner D. Gupta asked of the nearest antennas to the proposed installation. Staff noted the nearest communications antennas are over a half mile away.

Motion to approve the antenna installation request on condition of revised completion of questions 4 and 5 and final technical staff review.

M/S N. Gupta/D. Gupta

Ayes: 9

3. Metro PCS 875 S. Park Victoria.

Kim Duncan with the Milpitas planning staff introduced the project to the Commission. Metro PCS is seeking approval to install panel antennas within a new fiberglass rooftop on the of the Park Victoria Baptist Church at 875 S. Park Victoria Drive along with its associated support equipment located on the ground.

Chair Alcorn noted that an existing Sprint cellular antenna already existed at the location. He also referenced the submitted technical questionnaire and noted that item 10 needed clarification. Whether intermod interference would be a concern with the two antennas being within close proximity of each other and what provisions will be made to accommodate the two wireless carriers.

Jennifer Estes representing Metro PCS reported the proximity of the two antennas is 30 feet apart and will not impact the Sprint cellular transmissions. She added that Metro PCS does work with other cellular companies to avoid possible operational conflicts.

Chair Alcorn noted it is important that Metro PCS maintain clarity in its technical information on this installation. He recommended that Metro PCS provide additional information to the technical questionnaire as part of the condition of approval for the installation. Metro PCS concurred with request.

Commissioner D. Gupta added that proper placement of emergency information for worker and fire personnel. Ms. Estes added that it is standard procedure to place contact information at its cellular locations.

Motion to approve the antenna installation request on condition of revised completion of the technical questionnaire and final technical staff review.

M/S N. Gupta/R. Gopalarao Ayes: 10

4. Metro PCS 1285 Escuela Parkway.

Kim Duncan with the Milpitas planning staff introduced the project to the Commission. Metro PCS is seeking approval to install three panel antennas within a cylindrical raydome atop an existing light pole at 1285 Escuela Parkway at Milpitas High School.

Chair Alcorn noted that question number 7 required additional review. The height of the antenna is actually 83 feet from the base of the light pole as opposed to 38 feet. He requested clarification.

Jennifer Estes representing Metro PCS concurred that the actually height of the antenna placement is 83 feet above the ground. A revised and correct document would be submitted with the final application.

Commissioner Alisantosa added that the same requirements apply for placard and contact information for this antenna installation.

Motion to approved the project for final recommendation to the Planning Commission.

5. Cingular Wireless 1915 Yellowstone Ave.

Kim Duncan with the Milpitas planning staff introduced the project to the Commission. Cingular Wireless is seeking approval to install a 40-foot tall flagpole at 1915 Yellowstone Avenue on the campus of Rancho Middle School.

Chair Alcorn noted that question number 6 required additional review. He noted what is the vertical beam width for the antennas at this location.

Philip Dale representing Cingular wireless reported that the vertical beam width is six degrees.

Commissioner D. Gupta asked what question 4 total power output is for the antennas. Philip Dale representing Cingular wireless reported that the total power output is 2400 watts.

Commissioner Gopalarao asked if a flag was needed as part of the design.

Mr. Andy Minor with Cingular-Planning added the monopole design was made to accommodate the use of a standard flag and part of its day-to-day use along with its cellular transmission capacity.

Commissioner Alisantosa reiterated the need to have placard information for contact purposes.

Motion to approved the project for final recommendation to the Planning Commission.

6. Status Report of Comcast Cable Franchise

Information Services Director Bill Marion reported the city has made progress with the Comcast cable franchise review regarding the renewal and compliance issues. Staff reported that the City had completed two meetings with Comcast. Five major areas of discussion were agreed to; customer service, P.E.G. cable access, franchise fee, and security/performance bond and right of way provisions. The goal is to develop a conceptual agreement and then redraft the language for further review.

In reviewing the customer service provisions staff noted that the standard FCC language for customer service standards be adhere to as the part of the franchise language. Staff and Comcast are still in review of the documents. In reviewing the P.E.G. access studio for joint use, staff reported that draft document was submitted to Comcast to provide costs in establishing and operating an access studio. In the area of security/performance bonds Comcast provided several options along with a letter of credit, which was deemed suitable for

the cable franchise requirements. Finally, the right of way provision has been review and a tentative agreement is being drafted for additional discussion and what matters apply to cable television.

In reviewing the open-compliance matters, the city's finance staff and Comcast's financial staff have been reviewing reporting methods use to calculate gross revenue inconsistencies over a one year period. Another matter in question was Comcast's reporting of advertisement revenue. Staff is comparing revenue reporting in other cities in the region. Staff is also seeking potential recovery cost due to the time in reviewing the cable franchise.

Staff also reported that grounding corrections are in progress adding that the Milpitas police department was responding to trespassing of Comcast workers working on grounding matters. It would take approximately 120 days for the grounding to be completed along with another items reported.

Staff added that the I-net notice for installation of fire training network was adequate notice to proceed. However, Comcast is disagreeing with the report and is challenging the matter.

Completion of the subcommittee's cable guidance document and government channel and future public access cable channel would be next matter to be added to the cable franchise review.

Commissioner Lam noted of recent blackout of services of cable service lasting one to several hours. Staff noted that it has reported one extended outage to Comcast but was not aware of any additional outages.

Motion to note receipt and file

M/S R. Gopalarao/ N. Gupta

Ayes: 9

7. Subcommittee Cable Access Policy.

Commissioner Ali-Santosa reported that the subcommittee had conducted three meetings reviewing various Public, Educational, and Government (PEG) cable access policies from other communities. He noted that other established PEG policies provided numerous concepts and ideas to consider as part of the future Milpitas cable access policy document. A draft policy will be developed by the subcommittee and would shared for the Commission's review and input.

Commissioner D. Gupta added a user criteria would also be developed as part of the overall document as part of the guidelines for the community access channel.

Staff added the policy would need to address the issues of advertisement for non-for-profit versus for-profit notices as well as conflict of interest issues that will be brought before

the cable channel; for example, government access programming versus public access programming.

Commissioner Gopalaraa reiterated the need to better understanding of what is being reviewed and focus on the main points being considered. He added that input from the Milpitas community would be needed to better understand the overall needs the both current and future P.E.G. cable channels. Commissioner D. Gupta added that it would be part of the draft document for the government channel and would also be considered for the community access policy.

Commissioner Alisantosa and D. Gupta added that the document would seek input from the city officials for overall input. Staff added that the City Council would eventually need to review for final approval.

Staff added that Information Services staff would be responsible for the overall management and day-to-day operation of the city's government access channel cable 15.

Commissioner Lam asked of televising live broadcast programming. Staff noted that the City Council, Planning Commission and Milpitas Unified School District meetings were televising live over cable channel 15. Commissioner Lam added if there were any time delay restrictions for live broadcasts. Staff added that cable channel 15 is not time delayed.

Motion to note receipt and file.

M/S R. Gopalaraa/ N. Gupta

Ayes: 9

8. April '04 Month Report.

Information Services Director Bill Marion provided a summary of the monthly activity reports for the department for April 2004. Staff noted that Verizon wireless will be requesting to place telecommunication antenna to provide service coverage at the Milpitas sports center complex area. The Commission would be given the opportunity to review the project later in the summer. Additionally, staff reported the successful integration of the computer aided dispatch system in the police and fire dispatch center. The department implemented a complete exchange of the City's Nextel I-1000 cellular radios to smaller less expensive I-60 cellular radio units. The older units have been provided to the Milpitas Unified School District for continued use.

Chair Alcorn if the Commission was interested in holding the group's next meeting at the Information Services Department. Staff noted that this would give the Commission another opportunity to visit the department's new data center as well as get to view the use of the new integrated Wi-Fi data network. The GIS department is also working on developing a background radiation map for a possible FEMA data project which federal funding may become available.

Chair Alcorn noted that he wanted to get a demonstration of the 237-880 emergency dispatch web camera on top the Crowne Plaza Hotel. Staff noted it could give a demonstration at it meeting at the Information Services Department. Staff would look at see what the next two months regarding the agenda and would advise the Chair when the next meeting would be held at the Information Services Department.

Motion to note receipt and file.

M/S R. Gopalarao/V. Mathur

Ayes: 9

9. Round table discussion.

Ali-Santosa noted that the correction of the mass feeding exercise at Rose elementary school. Commissioner Gopalarao added that telecommunications companies, like Cingular, should provide coverage maps to the City. Staff noted that it has attempted to gather such maps in the past and have found it difficult to obtain given the business competition and service area coverage's vary from service to service. However, staff did report that there would be improved coverage in the east foothills of Milpitas due to several telecommunications companies interested in providing cellular coverage in those areas.

VIII. Adjournment of Meeting

Chair Alcorn requested a motion to adjourn the to Monday, June 21, 2004.

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